



DOCKET NO. 110293.134US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

5      Applicant(s):            MARKS, ET AL.                      Examiner:            Ronald Laneau  
Serial No.:                    10/666,560                      Art Unit:                3714  
Filed:                        September 22, 2003  
Title:                        METHOD OF PLAYING A SLOT MACHINE ("RE-SPIN & RE-PAY")

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**RENEWED PETITION**

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**Certificate**

Honorable Commissioner for Patents

SEP 17 2007

Alexandria, VA 22313

**of Correction**

15      Sir or Madam:

In response to the Decision Dismissing Petitions Under 37 CFR 1.78(a)(3) and (a) (6), dated March 19, 2007, Applicants for the present application respectfully submit this renewed petition along with Supplemental Application Data Sheet.

20      Applicants submit the Supplemental Application Data Sheet to claim priority to US Non-Provisional Application No. 10/438,325 and US Provisional Application No. 60/380,325, which applications were not previously claimed. Applicant also includes the previous claim for priority to US Provisional Application No. 60/412,012.


Applicants state that the entire delay between the date the claim was due under 37 CFR § 1.78(a)(2)(ii) and 1.78(a)(5)(ii) and the date the claim was filed was unintentional.

SEP 17 2007

If there is any matter that would delay the acceptance of this renewed petition, please contact the undersigned at your earliest convenience.

Respectfully submitted,

  
Daniel M. Marks

Date: 09/10/07  
ORIGINAL FILED 03/29/07 

HIGH 5 GAMES

1200 MacArthur Blvd

Mahwah, NJ 07430

Phone: (201) 825.1711

Fax: (201) 825.1611

SEP 17 2007



## Supplemental Application Data Sheet

[CHANGES TO ORIGINAL APPLICATION DATA SHEET ARE INDICATED WITH UNDERLINED TEXT.]

Attorney Docket Number: 110293.134 US1  
Filing Date: 09/22/03  
Application Number: 10/666,560  
Title of Invention: METHOD OF PLAYING A SLOT MACHINE  
(“RE-SPIN & RE-PAY”)

### Applicant Information

#### Applicant 1

Applicant Authority: INVENTOR  
Given Name: DANIEL  
Middle Name: MORDECAI  
Family Name: MARKS

#### *Residency Address of Applicant:*

City: COLD SPRING

State/Province: NY

Country of Residence: USA

Citizenship under 37 CFR 1.41(b): USA

#### *Mailing Address of Applicant:*

Address 1: 1200 MACARTHUR BLVD

Address 2: SUITE 240

City: MAHWAH

State/Province: NJ

Postal Code: 07430

Country: USA

SEP 17 2007

**Supplemental Application Data Sheet:**  
Method Of Playing A Slot Machine (“Re-Spin & Re-Pay”) -- Us Application No. 10/666,650

**Applicant 2**

Applicant Authority: INVENTOR

Given Name: ANTHONY

Middle Name: MARK

Family Name: SINGER

*Residency Address of Applicant:*

City: RAMSEY

State/Province: NJ

Country of Residence: USA

Citizenship under 37 CFR 1.41(b): USA

*Mailing Address of Applicant:*

Address 1: 1200 MACARTHUR BLVD

Address 2: SUITE 240

City: MAHWAH

State/Province: NJ

Postal Code: 07430

Country: USA

**Applicant 3**

Applicant Authority: INVENTOR

Given Name: HOWARD

Middle Name: MITCHELL

Family Name: MARKS

*Residency Address of Applicant:*

City: SCARSDALE

State/Province: NY

Country of Residence: USA

Citizenship under 37 CFR 1.41(b): USA

SEP 17 2007

*Mailing Address of Applicant:*

Address 1: 1200 MACARTHUR BLVD

Address 2: SUITE 240

City: MAHWAH

State/Province: NJ

Postal Code: 07430

Country: USA

## Correspondence Information

Customer Number: 000061302

Email Address: DMARKS@H5G.COM

## Application Information

Title of the Invention: METHOD OF PLAYING A SLOT MACHINE  
(“RE-SPIN & RE-PAY”)

Attorney Docket Number: 110293.134 US1

Small Entity Status Claimed: NO

Application Type: NON-PROVISIONAL

Subject Matter: UTILITY

Suggested Class (if any):

Sub Class (if any):

Suggested Technology Center (if any):

Total Number of Drawing Sheets (if any):

Suggested Figure for Publication (if any):

SEP 17 2007

## Representative Information

Customer Number: 61302

## Domestic Priority Information

Application Number: THIS APPLICATION

Continuity Type: CONTINUATION-IN-PART

Prior Application Number: 10/438,325

Filing Date (YYYY-MM-DD): MAY 15, 2003

Application Number: 10/438,325

Continuity Type: NON-PROVISIONAL OF

Prior Application Number: 60/380,485

Filing Date (YYYY-MM-DD): MAY 15, 2002

Application Number: THIS APPLICATION

Continuity Type: NON-PROVISIONAL OF

Prior Application Number: 60/412,012

Filing Date (YYYY-MM-DD): SEPTEMBER 20, 2002

## Assignee Information

Organization Name: PTT LLC DBA HIGH 5 GAMES

Address 1: 1200 MACARTHUR BLVD

Address 2: SUITE 240

City: MAHWAH

State/Province: NJ

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### Supplemental Application Data Sheet:

Method Of Playing A Slot Machine ("Re-Spin & Re-Pay") -- Us Application No. 10/666,650

Country: USA  
Postal Code: 07430  
Phone Number: 201 825 1711  
Fax Number: 201 825 1611  
Email Address: DMARKS@H5G.COM

**Signature::**

**Signature:**

**Date (YYYY-MM-DD):**

MARCH 28, 2007

**First Name:**

DANIEL

**Last Name:**

MARKS

**Registration Number:**

N/A


SEP 17 2007

**UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTION**

Page 1 of 1

PATENT NO. : 7,252,589  
APPLICATION NO.: 10/666,560  
ISSUE DATE : August 7, 2007  
INVENTOR(S) : Daniel M. Marks et al

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

PLEASE AMEND THE ABOVE MENTIONED PATENT TO SHOW THE CLAIMS FOR PRIORITY TO NON-PROVISIONAL AND PROVISIONAL APPLICATIONS DESCRIBED IN THE RENEWED PETITION AND SUPPLEMENTAL APPLICATION DATA SHEET FILED ON MARCH 29, 2007, AS SHOWN BELOW:

**Domestic Priority Information**

Application Number: THIS APPLICATION  
Continuity Type: CONTINUATION-IN-PART  
Prior Application Number: 10/438,325  
Filing Date (YYYY-MM-DD): MAY 15, 2003

Application Number: 10/438,325  
Continuity Type: NON-PROVISIONAL OF  
Prior Application Number: 60/380,485  
Filing Date (YYYY-MM-DD): MAY 15, 2002

Application Number: THIS APPLICATION  
Continuity Type: NON-PROVISIONAL OF  
Prior Application Number: 60/412,012  
Filing Date (YYYY-MM-DD): SEPTEMBER 20, 2002

THE RENEWED PETITION AND SUPPLEMENTAL DATA SHEET ARE ATTACHED TO THIS REQUEST FOR CERTIFICATE CORRECTION. IN ADDITION, PLEASE FIND ATTACHED THE CREDIT CARD PAYMENT FORM FOR THE REQUIRED \$100 CHANGE FEE.

MAILING ADDRESS OF SENDER (Please do not use customer number below):

DANIEL MARKS, HIGH 5 GAMES, 1200 MACARTHUR BLVD, MAHWAH, NJ 07430

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
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www.uspto.gov

PTT LLC (D/B/A/ HIGH 5 GAMES)  
1200 MacARTHUR BOULEVARD  
MAHWAH, NJ 07430

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SEP 05 2007

**OFFICE OF PETITIONS**

In re Application of  
Daniel M. Marks et al  
Application No. 10/666,560  
Filed: September 22, 2003  
Attorney Docket No. 110293.134 US1

DECISION DISMISSING PETITIONS  
UNDER 37 CFR 1.78(a)(3) AND (a)(6)

This is a decision on the renewed petition under 37 CFR §§ 1.78(a)(3) and 1.78(a)(6), filed March 29, 2007, to accept an unintentionally delayed claim under 35 U.S.C. §§ 120 and 119(e) for the benefit of priority to the prior-filed nonprovisional and provisional applications noted in the accompanying Supplemental Application Data Sheet.<sup>1</sup>

The petition is **DISMISSED**

A petition for acceptance of a claim for late priority under 37 CFR §§ 1.78(a)(3) and 1.78(a)(6) is only applicable to those applications filed on or after November 29, 2000 and after the expiration of the period specified in 37 CFR §§ 1.78(a)(2)(ii) and 1.78(a)(5)(ii). In addition, the petition under 37 CFR §§ 1.78(a)(3) and 1.78(a)(6) must be accompanied by:

- (1) the reference required by 35 U.S.C. §§ 120 and 119(e) and 37 CFR §§ 1.78(a)(2)(i) and 1.78(a)(iii) and 1.78(a)(5)(i) and 1.78(a)(5)(iii) of the prior-filed application, unless previously submitted;
- (2) the surcharge set forth in § 1.17(t); and
- (3) a statement that the entire delay between the date the claim was due under 37 CFR §§ 1.78(a)(2)(ii) and 1.78(a)(5)(ii) and the date the claim was filed was unintentional. The Director may require additional information where there is a question whether the delay was unintentional.

The petition complies with the above requirements, which requirements were met prior to issuance of this application into a patent. However, in view of the issuance of this application into Patent No. 7,252,589 on August 7, 2007, and as the claim for priority to the nonprovisional and provisional applications did not appear on the patent as issued, a Certificate of Correction (and \$100 fee) is required before the petition can be granted. The form for the Certificate of Correction may be found under Forms on the USPTO Website.

<sup>1</sup> The existence of this renewed petition was only recently discovered. As this petition was miscoded, this petition did not come to the attention of the undersigned until recently.

SEP 11

A renewed petition under 37 CFR 1.78(a)(3) and 37 CFR 1.78(a)(6), along with request for a certificate of correction and fee of \$100, must be submitted before the petition can be granted.

Further correspondence with respect to this matter should be addressed as follows:

By mail:                      Mail Stop PETITIONS  
                                 Commissioner for Patents  
                                 Post Office Box 1450  
                                 Alexandria, VA 22313-1450

By hand:                     Customer Service Window  
                                 Mail Stop Petitions  
                                 Randolph Building  
                                 401 Dulany Street  
                                 Alexandria, VA 22314

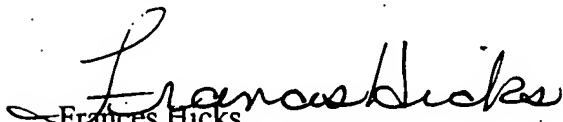
By fax:                        (571) 273-8300  
                                 ATTN: Office of Petitions

The centralized facsimile number is (571) 273-8300.

Correspondence regarding this decision may also be filed through the electronic filing system of the USPTO.

To expedite consideration, petitioner may wish to contact the undersigned regarding the filing of the renewed petition.

Any questions concerning this matter may be directed to the undersigned at (571) 272-3218.

  
Frances Hicks  
Petitions Examiner  
Office of Petitions

SEP 17 2007